

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

JOSHUA BUCKJUNE, #1444604	§	
VS.	§	CIVIL ACTION NO. 9:08cv100
DIRECTOR, TDCJ-CID	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Judith K. Guthrie. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case.

Petitioner filed objections to the Report. Petitioner objects to the Court's failure to rule on his motion to stay the proceedings while his state court application for writ of habeas corpus is pending. Petitioner has not shown entitlement to a stay of the proceedings and has not shown that a stay is necessary.

This Court made a *de novo* review of Petitioner's objections and determined that they lack merit. This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED WITHOUT PREJUDICE**; and

ORDERS that all motions not previously ruled on are denied.

So **ORDERED** and **SIGNED** this **29** day of **June, 2008**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge